



CITY OF BETHEL

P.O. Box 388 • Bethel, Alaska 99559

543-2297—Area Code 907

PLANNING COMMISSION SPECIAL MEETING

January 6, 1993

CALL TO ORDER Chairman Guinn called the special meeting of January 6, 1993, to order at 7:35.

ROLL CALL Present: John Guinn, Bill Adams, Louie Andrew, Joan Hamilton, Jake Metcalfe, Tom Warner

Interim City Manager Nancy Gross was also present.

APPROVAL/MINUTES M/M by Warner, 2nd by Metcalfe to approve the minutes of the October 22, 1992, regular Planning Commission meeting as presented. Voice vote. Motion carried unanimously.

APPROVAL/AGENDA The agenda was accepted as presented.

PLANNER'S REPORT There was no Planner's Report as Mr. White was not in attendance.

Ms. Gross reported that Al Bianchi from the Planning Department was working on composing an ordinance for the City Council to consider allowing the Planning Department to award short plats without Planning Commission approval. Ms. Gross said that the City attorney had advised that all short plats already awarded should be ratified by ordinance as well. Mr. Warner asked why the Planning Commission couldn't ratify the short plats, as Title 29 gives the Commission the authority to award all plats. Ms. Gross responded that she would ask the attorney and report back to the Commission.

PEOPLE TO BE HEARD Elizabeth Riley from the ONC Housing Assistance Program spoke to the Commission asking for the City to build a platted road to the residence of Marie Mezak so ONC could build Mrs. Mezak a new house. Ms. Riley stated that she had contacted the Department of Transportation in Juneau and Anchorage and was told of a Federal program which might have

**Planning Commission
Special Meeting Minutes
Page 2**

funds available to the City for the purpose of building platted roads.

Mr. Andrew sketched a layout of the area around Mrs. Mezak's residence and explained the problems relating to building a road. Mr. Andrew asked for a copy of the map of East Addition for the next Commission meeting so they could see the area more clearly.

Mr. Warner restated the City's policy is not to build roads simply because they're platted. He added that in some cases property owners have had the roads built and then dedicated them to the City, and that the City should establish standards to which roads must be built if property owners wish to do so.

Ms. Gross said that she had been approached by many people about this problem and she suggested that the Commission look at the total problem to set priorities and create a ten year plan for building platted roads.

Mr. Andrew recommended that the Commission table the issue until the next meeting so more information could be provided on the costs associated with building the road to Mrs. Mezak and the exact boundaries in the East Addition could be clarified.

Chairman Guinn stated that he had a problem with building a road just for one person, but he agreed that the Commission needed to look at the future with regard to building the platted roads. Mr. Guinn also stated for the record that it is not the City's responsibility to build roads.

Mr. Warner agreed, adding that the City is not liable for providing access if no road has been built.

**Item A: Public
Hearing**

**PUBLIC HEARING ON A PLAT OF A RESUBDIVISION OF
LOTS 1A, 4A AND 4B OF CITY CENTER SUBDIVISION**

Chairman Guinn opened the Public Hearing.

Ms. Gross introduced the request from the

**Planning Commission
Special Meeting Minutes
Page 3**

University of Alaska for the replat to build the Cultural Center/Museum/Library by pointing out the affected lots on the map.

Mr. Warner stated that both the Commission and the Council had already conceptually approved the project.

Chairman Guinn closed the Public Hearing.

motion

M/M by Warner, 2nd by Andrew to approve the plat of a resubdivision of Lots 1A, 4A and 4B of City Center Subdivision. Voice vote. Motion carried unanimously.

OLD BUSINESS

**Item A: George
Hohman**

**GEORGE HOHMAN #92-16. STATEMENTS FROM
ADJACENT PROPERTY OWNERS**

A report from the Planning Department indicated that no responses had been received from property owners and recommended that the Commission wait until the next meeting before deciding this variance.

Mr. Warner read from Title 18 which states that the property owner or a designated representative must be present at a variance request hearing.

motion

M/M by Warner, 2nd by Metcalfe to table this request until such a time as the following two conditions are met: 1) Statements from the adjacent property owners are received and 2) Mr. Hohman or a designated representative is present. Voice vote. Motion carried unanimously.

**Item B: Townsite
Street Ownership**

TOWNSITE STREET OWNERSHIP/ACCOUNTABILITY ISSUE

Al Bianchi reported that he had contacted the BLM Townsite Trustee about this matter. He was told that any vacation of the roads by the City reverts to the adjacent landowners; the roads are dedicated for the sole purpose of a thoroughfare and the land can not be used for any other purpose by the City, nor can the City receive restitution for the vacation of

Planning Commission
Special Meeting Minutes
Page 4

roads.

Mr. Warner said that the City has three options: do nothing, build the roads, or vacate the right-of-way.

Chairman Guinn asked Mr. Bianchi to look at what roads are dedicated and to report back to the Commission.

NEW BUSINESS

**Item A: Request
from FAA**

**REQUEST FROM FAA REGARDING CITY OWNED LAND
ADJACENT TO FAA HOUSING COMPLEX**

Chairman Guinn asked Ms. Gross if she had any further information on this request. Ms. Gross replied that the only information she had was what was included in the packet.

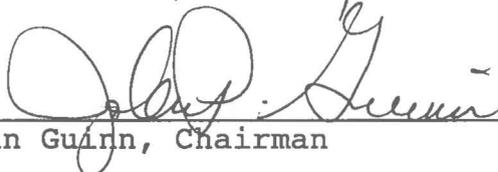
Mr. Warner stated that he had a problem with this request because it would contribute to the separation of the FAA employees from the rest of the community, and he would prefer the FAA to look at buying land in town. Mr. Warner's recommended directing the City Administration to seek more information from the FAA as to their intent.

Mr. Andrew asked the Administration to check on the deed to the land to be sure the City does in fact own the property.

motion

M/M Andrew, 2nd by Warner to adjourn the meeting at 8:25 PM. Voice vote. Motion carried unanimously.

PASSED AND APPROVED THIS 17TH DAY OF February, 1993.



John Guinn, Chairman

ATTEST:



Connie Tucker, Admin. Asst.



CITY OF BETHEL

P.O. Box 388 • Bethel, Alaska 99559

543-2297—Area Code 907

PLANNING/PORT SPECIAL MEETING MINUTES

January 14, 1993

CALL TO ORDER

Port Commission Chairman DeSousa called the special Planning/Port Commission meeting of January 14, 1993, to order at 7:40.

ROLL CALL

Present: (Port) Allen DeSousa, Grant Fairbanks, John Hawkins, Buster Richardson, Allan Wintersteen; (Planning) Joan Hamilton, Jake Metcalfe, Doug Moody, Tom Warner (late)
Absent, Excused: (Port) Manny Konig, Bruce Nerby; (Planning) Bill Adams, John Guinn
Absent, Unexcused: (Planning) Louie Andrew

Also present were Port Director Stuart Greydanus, Planning Manager Jerry White and Interim City Manager Nancy Gross.

Bartz Englishoe of Bartz Englishoe and Associates presented the Commissions with the draft of the Comprehensive Land Use Development Plan (CLUDP) for the City of Bethel's Tidelands. Mr. Englishoe also provided a set of maps of the reclaimed Tidelands discussed in the CLUDP.

Mr. Englishoe reviewed the CLUDP text and pointed out a few potential problem areas on the maps. A discussion on public use and access versus commercial development of the Port followed.

The following recommendations for zoning were made to Mr. Englishoe by consensus of the Commissions:

Definitions: Public Use-Subsistence, recreational activity
Special Use-Light industrial; Fish processing; Water-related activities

Page 2 of 7:

Lot 1: Public Use
Lot 2: Special Use
Lot 3: Special Use

**PLANNING/PORT SPECIAL
MEETING MINUTES
JANUARY 14, 1993
PAGE 2**

Lot 4: Special Use

Lot 5: Special Use

Lots 6,7: Currently zoned Public Use, recommend change to "Qualifying Special Use" to allow mooring and storage of boats up to the size of tender boats, but no processing activity.

Lot 3A: Public Use

Lot 3B: Public Use

Lot 1A: Public Use (City owned)

Lot 1B: General Use (Privately owned)

Page 3 of 7:

Port Facility: Currently zoned Industrial, recommend change to Riverfront Port Facility zoning to insure no future undesirable activity.

Lots 8,9,
10, 11: Currently zoned General Use, recommend change to Special Use

Page 4 of 7:

Lots A,B
C,D,&E: Special Use. Mr. Englishoe recommended moving the fifty-foot Public Easement down to the floating dock.

Parkland: Currently zoned Public Use/Open Space Park; after much discussion of park strip versus processors, the Commissions requested Mr. Englishoe to list the alternatives for this space for the Public Hearing and obtain the general public's comments.

Tract D: Special Use with exception for float plane operation (with float plane use extending half-way down Mission Beach)

Page 5 of 7:

Mission Beach: Public Use

**PLANNING/PORT SPECIAL
MEETING MINUTES
JANUARY 14, 1993
PAGE 3**

Tract E: Currently zoned Public Use. There was much discussion on the City's obligation to honor commitments made by previous Councils to the land owners concerning this area. The Commissions requested Mr. Englishoe to provide the alternatives to the public at the Public Hearing and obtain its response.

Page 6 of 7:

Tract E: Public Use with a Spatial Designation for mooring. The Commissions recommended providing a sample moorage agreement for the Public Hearing.

Page 7 of 7:

Tract F: Port Facility

Mr. Englishoe stated that the State wishes the upland owners to be given first refusal to sublease the reclaimed lands from the City, and if they are not interested, the City can use the lands as they wish.

Interim City Manager Gross suggested to Mr. Englishoe to provide a copy of what the City's lease with the State might look like for the Public Hearing. Mr. Englishoe responded that he could provide a basic lease.

The schedule for the remaining meetings was set as follows:

February 10, 1993- Public Hearing in front of Port and Planning Commissions

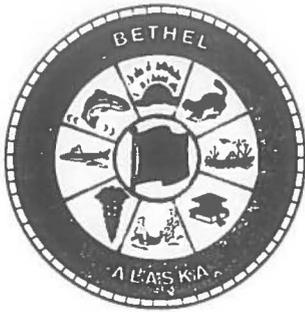
February 17, 1993- Joint Port/Planning Commission Meeting to make final recommendations to the Council

February 23, 1993 or
March 9, 1993- Approval of the final draft of the CLUDP by the City Council

motion M/M by Metcalfe, 2nd by Wintersteen to adjourn the meeting at 10:10 PM. Voice vote. Motion carried unanimously.

Connie Tucker

Connie Tucker
Commission Clerk



CITY OF BETHEL

P.O. Box 388 • Bethel, Alaska 99559

543-2297—Area Code 907

PLANNING/PORT SPECIAL MEETING MINUTES

February 8, 1993

CALL TO ORDER

Port Commission Chairman DeSousa called the special Planning/Port Commission meeting of February 8, 1993, to order at 7:30.

ROLL CALL

Present: (Port) Allen DeSousa, John Hawkins, Manny Konig, Bruce Nerby, Buster Richardson; (Planning) Bill Adams, Louie Andrew, Joan Hamilton, Doug Moody, Tom Warner
Absent, excused: (Port) Grant Fairbanks, Allan Wintersteen; (Planning) John Guinn, Jake Metcalfe

Also present were Bartz Englishoe of Englishoe and Associates, Port Director Stuart Greydanus and Planning Manager Jerry White.

Port Commission Chairman DeSousa opened the Public Hearing on the Comprehensive Land Use and Development Plan for the City of Bethel's Reclaimed Tidelands.

Chairman DeSousa questioned Mr. Greydanus on the moorage of tender boats and barges on the upriver portion of the Seawall. Mr. Englishoe stated that he would define the sizes better on the final draft.

PEOPLE TO BE HEARD

J.B. Crow addressed Mr. Englishoe and the Commissions with a series of questions and comments:

-Mr. Crow disagreed with the first sentence under the heading "Scope of Study" on page 1. Mr. Crow stated that at this time he did not acknowledge that any reclaimed uplands were created by the construction of the bulkhead on lot 5, block 8, USS 3790. He also stated that he did acknowledge that a certain amount of reclaimed upland area may exist on lot 4, block 8, USS 3790.

-Mr. Crow took issue with the first sentence of paragraph 3, page 2, stating it implied that prior to the late 1960's the City had not started working towards a "common solution". Mr. Crow stated that in the early 1960's Art Nicholson secured State

**PLANNING/PORT SPECIAL
MEETING MINUTES
FEBRUARY 8, 1993
PAGE 2**

funding and, under his supervision, the City built a wood piling and planking wall.

-Mr. Crow suggested the wording of the first sentence under "Riparian Rights of Upland Owners" on page 6 be changed to read "Riparian rights refer to the legally vested rights held by owners..."

-Mr. Crow asked Mr. Englishhoe if the last sentence of the second paragraph on page 7 was taken from the City Attorney's opinion on Riparian Rights. Mr. Englishhoe confirmed that it was.

-Mr. Crow stated that on page 8, while lot 4, block 8 is deeded to the City, the City's acquisition of it is under a measure of uncertainty.

-On page 9, lot 5, block 8, Mr. Crow stated the moorage recommendation should read tender boats and/or fish processing vessels.

-Mr. Crow then discussed the accuracy of various surveys taken throughout the years of his property.

Fay Short asked Mr. Englishhoe why the maps were not drawn to scale. Mr. Englishhoe explained that land use maps are drawn more for looks than detail, but that the proportions were correct. Mr. Short then addressed the Commissions on his experience with property he had purchased along the seawall.

Donna Chris presented the Commissions with photographs of the construction of the seawall in front of her home. Mrs. Chris disputed the statement in the introduction that the seawall would be good for another 25 years, claiming that with present maintenance, it would not be good for another five years. Mrs. Chris expressed her concern about vehicle traffic if tender boats were allowed to tie up at that portion of the seawall.

Dave Trantham pointed out that some of the land in tract 5C on page 13 had been sold to Bethel Fuel Sales. Mr. Trantham also suggested the City continue to pursue the possibility of obtaining a Quitclaim Deed from the State instead of a lease.

Ben Dale addressed the Commissions on his concern with the recommendation for lot 3B, block 7, which he owns. Mr. Dale stated that he bought the land with the intent of processing fish, and he opposes the recommendation of no processors there. Mr. Greydanus pointed out that the land is zoned General Use and, under the current definitions, Mr.

**PLANNING/PORT SPECIAL
MEETING MINUTES
FEBRUARY 8, 1993
PAGE 3**

Dale could process there. Mr. Dale also reiterated his offer to the City to dredge Brown's Slough in exchange for free moorage.

Chairman DeSousa closed the Public Hearing and opened the meeting to comments of Commissioners.

**COMMISSIONERS'
COMMENTS**

Mr. Richardson spoke in favor of allowing tender boats to tie up on Tract E, stating the City needs the revenue. Donna Chris stated it was the engineers' recommendation that particular portion of the seawall would not withstand heavy moorage or vehicular traffic. Jerry Korthuis stated that as a tender operator, it would not be to his advantage to tie up at that portion because it is not close enough to his vehicle and because of the sharp rocks in that area. Mr. Korthuis also informed the Commissions of exposed rock at low tide along the seawall in front of the Joe Lomack building and of unexposed rock 2-3 feet below the surface at low tide, 50-75 feet from the bend of the seawall on sheet 6, lot 4.

Mr. Warner pointed out that on sheet 5, a lot owned by the City was not showing the City as the owner, and that on page 13, last paragraph, BNC no longer owns the western half of the petro dock.

Mr. Hawkins asked Mr. Englishoe why lot 2, block 7 was not listed on page 9. Mr. Englishoe responded that there were no reclaimed tidelands there. Mr. Hawkins also asked what would happen to businesses that became non-compatible when the area is zoned. Mr. Englishoe responded that there is a grandfather clause in the land use ordinance.

Mr. Warner revisited Mr. Dale's concerns, stating that there are no reclaimed tidelands in front of his land. Chairman DeSousa recommended leaving the zoning as general use, tenders/processing barges.

The Commissions then discussed at length the open space from the Lomack building to the Co-op land:

-Mr. Greydanus spoke in favor of allowing a processor to tie up at the eastern end of the open space.

-Mr. Warner strongly recommended leaving the open space for the public to use and enjoy, reminding

**PLANNING/PORT SPECIAL
MEETING MINUTES
FEBRUARY 8, 1993
PAGE 4**

the Commissions that the City Council made the decision to leave the open space four years ago.

-Ms. Hamilton asked for more precise definitions of marine vessels.

-Chairman DeSousa read a letter from Inlet Salmon regarding their need for space along the seawall. Mr. DeSousa suggested a compromise by leaving the area with the exposed rock along the seawall as open space and zoning the upriver usable area for processors.

-Ms. Gross suggested installing mooring buoys in the river to add space.

-Mr. Nerby spoke in favor of leaving the open space in its entirety.

-Mr. Richardson suggested eliminating moorage along the seawall from ELM to the Port to make room for the processors.

-Mr. Englishoe reminded the Commissions that the land use plan was just the first step and it couldn't deal with all the issues.

-Mr. Trantham recommended that the open space be named Datu's Park.

-Mr. Greydanus suggested appointing 150 feet for processors along the open space.

-Mr. Nerby, Mr. DeSousa, and Mr. Richardson expressed their dissatisfaction with the Co-op's operation the previous summer.

-Mr. Nerby suggested the floating dock be moved.

-Mr. Korhuis advocated moving the floating dock downriver, away from the barges, due to the number of intoxicated people using it.

-Mr. Greydanus stated he would like to remove the floating dock all together.

-Mr. Englishoe explained that the State would not relinquish a public easement along that area.

-Mr. DeSousa suggested moving the floating dock down to the Joe Lomack building and adding one or two more floating docks.

motion

M/M by Hawkins, 2nd by Adams to leave the open space as is, have the Co-op utilize the space in front of their property, and move the floating dock downriver if it proves to be a hazard. Poll vote. Motion carried, 9-yes, 1-no (Richardson).

motion

M/M by Warner, 2nd by Hamilton to limit all of Tract E to skiffs at this time.

**PLANNING/PORT SPECIAL
MEETING MINUTES
FEBRUARY 8, 1993
PAGE 5**

Mr. Warner clarified his meaning of "at this time" and suggested revisiting the issue if the Corps of Engineers reinforces that section. Mr. Richardson suggested adding language that would not exclude the moorage of tender boats in the future.

Motion withdrawn by Warner, 2nd by Hamilton.

motion M/M by Warner, 2nd by Hawkins to limit all of Tract E to the moorage of skiffs until the beginning of May, 1994. At that time the combined Commissions will again meet to review the issue. Poll vote. Motion carried unanimously.

Mr. Warner asked for more clarification on sheet 5 of the portion to be used for float plane use.

motion M/M by Andrew, 2nd by Hawkins to adjourn the meeting at 10:10 PM. Voice vote. Motion carried unanimously.


Connie Tucker, Commission Clerk



CITY OF BETHEL

P.O. Box 388 • Bethel, Alaska 99559

543-2297—Area Code 907

PLANNING COMMISSION MEETING MINUTES

February 17, 1993

CALL TO ORDER

Chairman Guinn called the regular Planning Commission meeting of February 17, 1993, to order at 6:07 PM.

ROLL CALL

Present: Bill Adams, Louie Andrew, John Guinn, Joan Hamilton, Doug Moody (late).

Absent, excused: Jake Metcalfe, Tom Warner

Also present were Jerry White, Planning Manager, and Nancy Gross, Interim City Manger.

APPROVAL/AGENDA

M/M by Andrew, 2nd by Adams to approve the agenda as presented. Voice vote. Motion carried unanimously.

APPROVAL/MINUTES

M/M by Andrew, 2nd by Adams to approve the minutes of the January 6, 1993, regular Commission meeting as presented. Voice vote. Motion carried unanimously.

COMMUNICATIONS

Mr. White presented the Commission with the budget revisions the Planning Department was requesting for the six month budget review.

Chairman Guinn supported the requested revisions, stating that the City needed to provide more funding if they want the Planning Department to keep up with the City's growth. Chairman Guinn also asked for a change in the wording of the second request for \$8400 to show that the deficit was caused by work done for other departments.

Ms. Gross spoke to the Commission about the budget revision procedure and her recommendations to Council concerning the Planning Department's requests.

Mr. Andrew stated the Commission should support the requests.

**PLANNING COMMISSION
MEETING MINUTES
FEBRUARY 17, 1993
PAGE 2**

PLANNER'S REPORT Mr. White passed out his report. Mr. White also handed out a survey ONC is conducting for piped sewer and water for City Subdivision.

PEOPLE TO BE HEARD There were no people to be heard.

OLD BUSINESS

**Item A: Final
Plat-Devlin**

FINAL PLAT OF SUBDIVISION FOR CHRIS DEVLIN

Mr. White stated that the final plat was not ready.

motion

M/M by Andrew, 2nd by Adams to table this item until the final plat is presented to the Commission. Voice vote. Motion carried unanimously.

**Item B: Prelim.
Plat-D. Korthuis**

**PRELIMINARY PLAT FOR SUBDIVISION OF LOT 8 IN
THE SUBDIVISION OF TRACT F IN TUNDRA RIDGE--D.
KORTHUIS**

Mr. Korthuis addressed the Commission, explaining he wanted to subdivide his 43,000 square foot lot into three 14,000 square foot lots.

The Planner's recommendation was to allow the subdivision after checking with the adjacent lot owners.

Chairman Guinn recommended that the Planner check to see if Mr. Korthuis' request would fall within the requirements of the short plat procedure, and if so, go ahead with the plat. If it does not meet the requirements, then the issue would come back before the Commission as a Public Hearing.

**Item C: Townsite
Street Ownership**

**TOWNSITE STREET OWNERSHIP/ACCOUNTABILITY
ISSUES**

Mr. White passed out a list of platted but unbuilt roads in Bethel.

Chairman Guinn suggested addressing this issue

**PLANNING COMMISSION
MEETING MINUTES
FEBRUARY 17, 1993
PAGE 3**

at a future meeting after the Commission had time to study the information.

Ms. Gross related that BIA has a grant program to build roads through ONC as the eligible grantee, and the City has received a survey to fill out for ONC.

**Item D: Copy of
USS 3790**

**COPY OF USS 3790 IN THE AREA OF MARIE MEZAK'S
LOT AS REQUESTED BY THE PLANNING COMMISSION**

Mr. Andrew identified the owners of the lots adjacent to Mrs. Mezak's lot, and recommended that Second Street be developed instead of First Street.

Mr. Adams advised the Commission decide on an overall plan for all the unbuilt roads in the City before deciding this particular issue.

Chairman Guinn concurred with Mr. Adams, stating the Commission does not want to set a precedent with Mrs. Mezak.

Chairman Guinn suggested the Commission go over the undedicated roads at the next meeting and then make a recommendation.

**Item E: Review
of CLUDP**

**REVIEW OF THE LAND USE PLAN SUBMITTED BY BARTZ
ENGLISHOE**

Chairman Guinn introduced the Plan discussed at the joint Planning/Port meeting of February 8.

Mr. White informed the Commission the next joint meeting to review the Land Use Plan was scheduled for 7:30 PM, March 15 at the Log Cabin.

J.B. Crow addressed the Commission regarding his claim to Lots 4 & 5 of Block 8, USS 3790. Mr. Crow stated his situation may be an impediment to the State's granting a lease to the City for the reclaimed tidelands, and requested a conference with a representative from the City and DNR to try and resolve the

**PLANNING COMMISSION
MEETING MINUTES
FEBRUARY 17, 1993
PAGE 4**

issue.

Ms. Gross told the Commission that representatives from DNR would be at the next joint meeting.

**Item F: Encroach.
Acquisitions**

TWO ACQUISITIONS OF ENCROACHMENTS ON EAST AVENUE

Mr. White explained that Mr. Active wanted the City of Bethel to purchase the part of his property that is used as a road.

Ms. Gross explained that all the roads in that section are part of the original townsite and, as such, cannot be owned by the City or by BLM. Ms. Gross stated that the roads are dedicated to the public and if they cease to be used as roads, are given to the adjacent land owners. Ms. Gross also pointed out that Mr. Active would only own half of the road.

Chairman Guinn stated that the Commission had two choices: do nothing or try to reach an equitable solution to both parties. By consensus, the Commission decided to take no action on this matter.

NEW BUSINESS

**Item A: Waste
Heat Easement**

**WASTE HEAT EASEMENT WITHIN CITY CENTER
SUBDIVISION--BUC**

Mr. White explained that part of the agreement with Bethel Utilities when they built the waste heat lines was that they would be granted an easement for maintenance access. Mr. White stated that this was a long-standing agreement and had never been formalized.

motion

M/M by Adams, 2nd by Andrew to approve and dedicate the easement within City Subdivision as presented on the plat. Voice vote. Motion carried unanimously.

PLANNING COMMISSION
MEETING MINUTES
FEBRUARY 17, 1993
PAGE 5

Item B: Request
from Swanson's

REQUEST FROM SWANSON'S FOR AN EASEMENT OR
PERMISSION TO ENCROACH ON SECOND AVENUE

Chairman Guinn gave the history of this issue and suggested a condition of granting an easement be added that Swanson's would maintain the bridge.

After a lengthy discussion, the Commission decided more information was needed, and adjacent landowners needed to be notified for their comments.

motion

M/M by Hamilton, 2nd by Adams to table the issue and call for a special meeting of the Planning Commission on March 4 at 7:30 P.M. to discuss the issue further. Voice vote. Motion carried unanimously.

Mr. White informed the Commission that property owners of Haroldson's Estates had complained about the roads. Chairman Guinn stated the roads are not up to City standards and cannot be maintained by the City.

motion

M/M by Andrew, 2nd by Moody to adjourn the meeting at 8:45 pm. Voice vote. Motion carried unanimously.

PASSED AND APPROVED THIS 11TH DAY OF MARCH, 1993.



John Guinn, Chairman

ATTEST:



Connie Tucker, Commission Clerk

From the February 17, 1993, Planning Commission meeting:

motion M/M by Adams, 2nd by Andrew to approve and dedicate the waste heat easement in City Subdivision to BUC as presented. Voice vote. Motion carried unanimously.

Connie Tucker

Connie Tucker, Commission Clerk



CITY OF BETHEL

P.O. Box 388 • Bethel, Alaska 99559

543-2297—Area Code 907

PLANNING COMMISSION MEETING MINUTES

March 11, 1993

CALL TO ORDER

Chairman Guinn called the regular Planning Commission meeting of March 11, 1993, to order at 7:30 PM.

ROLL CALL

Present: Bill Adams, Louie Andrew, John Guinn, Jake Metcalfe (late), Doug Moody, Tom Warner
Absent, unexcused: Joan Hamilton

Also present was Interim City Manager Nancy Gross and Al Bianchi from the Planning Department.

APPROVAL/MINUTES

M/M by Warner, 2nd by Andrew to approve the minutes of the February 17, 1993, regular Commission meeting as presented. Voice vote. Motion carried unanimously.

M/M by Warner, 2nd by Adams to approve the minutes of the March 12, 1992, special Commission meeting as presented. Voice vote. Motion carried unanimously.

APPROVAL/AGENDA

M/M by Warner, 2nd by Andrew to approve the agenda as presented. Voice vote. Motion carried unanimously.

COMMUNICATIONS

Mr. Bianchi informed the Commission of two Public Notices received from the Corps of Engineers regarding applications for Individual Permits. One application was for the Kasigluk Airport and one was for the Bethel Airport to fill approximately four acres of wetlands with 35,000 cubic yards of fill.

PLANNER'S REPORT

Ms. Gross informed the Commission Jerry White had resigned as Planning Manager and Al Bianchi and Connie Tucker were helping out in the Planning office as time permitted.

**PLANNING COMMISSION
MEETING MINUTES
MARCH 11, 1993
PAGE 2**

Ms. Gross stated she was working on the questionnaire from ONC concerning roads and ONC was anxious to receive input from the City.

In response to a question from Mr. Warner, Ms. Gross replied that she was working on the Coastal Zone Management Grant application. The application would be submitted before the next regularly scheduled Planning Commission meeting.

PEOPLE TO BE HEARD There were no people to be heard.

OLD BUSINESS

**Item A: FAA Land
Use Request**

FAA LAND USE REQUEST

Ms. Gross referred the Commission to the latest letter received from the FAA concerning their request for 3.31 acres from the City to replace their housing units.

A discussion on the Commission's past policy of not disposing of any more City land and the basis for that policy followed. Chairman Guinn requested a copy of the minutes from the meeting setting that policy.

Mr. Warner requested information on the location of the parcel in relation to the sand pit and what impact disposal of that parcel would have on the sand pit. Mr. Moody requested information on the amount of land the City owns in that area. Chairman Guinn also requested confirmation of City ownership of that parcel.

Chairman Guinn directed Administration to send a letter to FAA informing them of the research the City is doing prior to making a decision on this.

By consensus, the Commission decided to table this issue until the next regularly scheduled meeting.

**Item B: Public
Hearing-Korthuis**

PUBLIC HEARING ON THE SUBDIVISION OF LOT 8 IN

**THE SUBDIVISION OF TRACT F IN TUNDRA RIDGE
SUBDIVISION--D. KORTHUIS**

Chairman Guinn opened the Public Hearing.

Tim Bee, owner of Lot 16, spoke against the subdivision, claiming the additional sand for the driveway and pad would add to the dust problem in the summer. Mr. Bee also stated that the drainage problem he now has on his lot would be aggravated by any construction on the back part of Mr. Korthuis' lot.

Mr. Bianchi referred the Commission to the memo on Jerry Abbott's concerns. Mr. Abbott, owner of Lot 10, was mainly concerned that the subdivided lots remain residential.

Sue Unin, owner of Lot 17, also spoke against the subdivision, agreeing with Mr. Bee's assessment of the drainage problem. Ms. Unin also voiced concern about the length of the proposed access and the potential of water/sewer trucks overturning.

Chairman Guinn suggested the City needed to look into the drainage problem and perhaps install a culvert to alleviate the standing water.

Further discussion between the Commission and the landowners followed.

Chairman Guinn closed the Public Hearing.

motion

M/M by Metcalfe, 2nd by Moody to subdivide Lot 8 with the condition that Mr. Korthuis bring forth the site plan on the back two lots to the Planning Commission prior to any development. Voice vote. Motion carried, 5-yes, 1-no (Warner).

NEW BUSINESS

Item A: Lots 4
& 5, USS 3790

LOTS 4 & 5, USS 3790--J.B. CROW

Chairman Guinn appointed a special investigative committee to look into the matter and instructed the committee to report

**PLANNING COMMISSION
MEETING MINUTES
MARCH 11, 1993
PAGE 4**

back to the Commission its findings. The committee is to go over the history of the project, where it was, the surveys, any pictures, any affidavits, or anything. The committee is to work with Mr. Crow, the Planning department, and people in the community.

Chairman Guinn appointed to the committee Mr. Andrew, Mr. Bianchi, Port Director Stuart Greydanus, Mr. Metcalfe and Connie Tucker as recorder.

Chairman Guinn stated that at the next regular meeting, the Commission would review all of the evidence, look at the recommendation of the committee and make a firm recommendation to the City Council, since they have the final decision.

Mr. Warner asked what Mr. Crow's request was. Mr. Crow responded that he wanted to resolve the ownership of Lot 4, claiming the City obtained Lot 4 in an "extralegal" way. Mr. Crow asked the committee visually inspect the lot in question.

Chairman Guinn appointed Mr. Metcalfe as chairman of the committee. The meeting date was set for April 1 at 7:30 pm at the City Conference room.

**Item B: 10 acres
to Port Control**

**DESIGNATION OF 10 ACRES OF PETRO PORT LAND TO
PORT CONTROL**

Port Director Stuart Greydanus explained that the land in question is currently used for port activities and asked that the land be put under control of the Port.

Port Commission Chairman Allen DeSousa stated the Port Commission recommends the designation. Mr. DeSousa said the land had been used by the Port in the past unofficially and wanted to make the land an official part of the Port facility.

Mr. Warner spoke in opposition to turning over

**PLANNING COMMISSION
MEETING MINUTES
MARCH 11, 1993
PAGE 5**

the entire parcel to the Port, stating that it should not be developed in any way until the Corps of Engineers is finished using it.

A discussion of the uses for the land and options other than designation to the Port followed.

motion

M/M by Moody, 2nd by Andrew to recommend to the City Council they designate control of Tract 5C to the Port for use in conjunction with regular Port activity. Poll vote. Motion failed, 3-yes, 3-no (Adams, Metcalfe, Warner).

**Item C: Waste
Heat Easement**

WASTE HEAT EASEMENT--HOSPITAL AREA

Mr. Bianchi informed the Commission this was another easement for waste heat lines with BUC, and that BUC would be bringing other easements before the Commission in the future for approval.

Chairman Guinn stated the Commission had already agreed to the easements in theory, and, as the easement was not ready for official action, the Commission would take no action.

**Item D: Variance
Request**

**VARIANCE SETBACK REQUEST--LOT 5, PHASE 1,
BLUEBERRY SUBDIVISION**

Mr. Bianchi told the Commission that he had discovered the porch of this house had been built into the fifteen foot setback requirement.

Mr. Warner reminded the Commission the property owner needed to be present when requesting a variance.

Chairman Guinn asked how the porch was built into the setback if this was new construction, and asked the Planning Department to research the site plan approval.

motion

M/M by Warner, 2nd by Andrew to table this

PLANNING COMMISSION
MEETING MINUTES
MARCH 11, 1993
PAGE 6

issue until the next meeting and to notify the owners they need to be present at such time. Voice vote. Motion carried unanimously.

Item E: Planning
Manager Job

PLANNING MANAGER'S JOB DESCRIPTION

Ms. Gross informed the Commission the job description revision in their packets defined more specific duties than in the past. Ms. Gross also asked the Commission to add the qualification "Must possess a valid Alaska driver's license."

Mr. Warner and Mr. Andrew spoke in favor of the revisions.

Chairman Guinn asked the Planning Commission have a committee as part of the interviewing process.

Mr. Moody stated the B.S. qualification was too narrow and may screen out an experienced applicant without that particular degree. Chairman Guinn asked that the phrase "or equivalent experience" be added.

motion

M/M by Warner, 2nd by Andrew to accept the revised job description with two changes under "Qualifications"--a valid Alaska driver's license and broader experience requirements. Voice vote. Motion carried unanimously.

motion

M/M by Warner, 2nd by Moody to adjourn the meeting at 9:50 P.M. Voice vote. Motion carried unanimously.

PASSED AND APPROVED THIS 8TH DAY OF APRIL, 1993.



John Guinn, Chairman

ATTEST:



Connie Tucker, Commission Clerk



CITY OF BETHEL

P.O. Box 388 • Bethel, Alaska 99559

543-2297—Area Code 907

PLANNING/PORT SPECIAL MEETING MINUTES

March 15, 1993

CALL TO ORDER

Port Commission Chairman DeSousa called the special Planning/Port Commission meeting of March 15, 1993, to order at 7:35 pm.

ROLL CALL

Present: (Port) Allen DeSousa, John Hawkins, Grant Fairbanks (late), Bruce Nerby, Buster Richardson, Allan Wintersteen; (Planning) Bill Adams, Joan Hamilton, Jake Metcalfe, Doug Moody, Tom Warner
Absent, excused: (Port) Manny Konig; (Planning) John Guinn, Louie Andrew

Also present were Bartz Englishoe of Englishoe and Associates and Dave Perez of the Department of Natural Resources.

Port Commission Chairman DeSousa opened the Public Hearing on the Comprehensive Land Use and Development Plan for the City of Bethel's Reclaimed Tidelands.

PEOPLE TO BE HEARD

Bruce Nerby spoke as a representative of his father, John Nerby, owner of Lot 9, Block 20 of Tract C. Mr. Nerby read from a prepared statement, a copy of which is attached as part of these official minutes. Mr. Nerby recommended the City hire a surveyor to examine the previous surveys for accuracy.

J.B. Crow read two prepared statements, copies of which are attached as part of these official minutes. Mr. Crow agreed with Mr. Nerby's recommendation of an independent surveyor examining all of the boundary evidence before the State grants the City a lease. Mr. Perez stated that the survey in question had been stamped by two surveyors and the State had accepted that survey as accurate.

Judy Bates of BNC read a letter from Bill Bivins, CEO of BNC, a copy of which is attached as part of these official minutes.

**PLANNING/PORT SPECIAL
MEETING MINUTES
MARCH 15, 1993
PAGE 2**

Ben Dale informed the Commissions that a letter of intent had been issued to a processor for 200 feet of the Open Space in front of Tract C, contrary to the Commissions' direction at the previous meeting. Mr. Dale stated the letter had been sent in January.

Scott Earsley of Inlet Salmon spoke in favor of allowing processors to tie up along the Open Space. Mr. Earsley claimed the busy street and floating dock would invite trouble for the City in liability claims if the Open Space were developed into a public park area.

Chairman DeSousa closed the Public Hearing and opened the meeting to comments of Commissioners.

**COMMISSIONERS'
COMMENTS**

Mr. Warner agreed with BNC's letter concerning the wording under "Riparian Rights"; the wording should be "rights" not "powers." Mr. Warner reminded the Commissions that the City Council designated the Open Space years ago and had a commitment to provide public access. Mr. Warner stated the City should reserve the Open Space on the seawall for the future.

Chairman DeSousa suggested better fencing along the Open Space and caution signs be installed.

Mr. Richardson stated that denying processors more room along the seawall would drive them out of Bethel and would therefore deny fishermen and the City the chance for additional income.

Mr. Wintersteen stated that removing the floating dock would hurt the businesses in the immediate area. Mr. Wintersteen also noted that he enjoyed the Open Space.

Chairman DeSousa related that the pilings at the lower end of the Open Space had shifted badly in the past and that rock had been dumped there to prevent further shifting. Mr. DeSousa stated that he had a problem with tying large vessels along that area until he was sure the pilings were stable.

Mr. Fairbanks suggested developing the lower end of

PLANNING/PORT SPECIAL
MEETING MINUTES
MARCH 15, 1993
PAGE 3

Tract C as a park area. Mr. Fairbanks asserted that bringing in more processors would not bring in more money for the fishermen.

motion

M/M by Hawkins, 2nd by Moody to leave the plan as the Council designated as Open Space. Poll vote. Motion carried, 10-yes, 1-no (Richardson).

Mr. Warner asked if the Commission was going to consider the request for an independent look at the surveys. Mr. Warner stated the Commissions did not have the technical expertise to decide as a body.

Mr. Nerby stated a committee other than City employees should be appointed to look at the surveys. Mr. Richardson agreed, adding that the committee should have no connection to Bethel whatsoever.

Mr. Moody stated that the Commissions' role was to approve the zoning of the reclaimed lands, not to settle boundary disputes, restating the State's view that the lines are correct.

Mr. Perez stated that even if an independent surveyor finds the surveys are inconsistent, the findings would have to be brought before the original surveyors and not the State.

motion

M/M by Warner, 2nd by Wintersteen that the Commissions accept the draft of the Comprehensive Land Use and Development Plan for the City of Bethel's Reclaimed Tidelands, with the change noted on page 8, changing the word "powers" to "rights", and that the recommendation be presented to the City Council at their next regular meeting.

Discussion-

--Mr. Hawkins pointed out that the word "be" is missing at the end of the second line of the next to the last paragraph on page 8.

--Mr. Englishoe added that he could address any future actions needed at the end of the Land Use Plan.

--Ms. Hamilton asked if the names of the land owners would be filled in before it goes to Council.

--Mr. Nerby asked if he should abstain from voting on the motion due to a conflict of

PLANNING/PORT SPECIAL
MEETING MINUTES
MARCH 15, 1993
PAGE 4

interest as heir to his father's property. Chairman DeSousa determined that Mr. Nerby should abstain.

Poll vote on the motion. Motion carried, 9-yes, 1-no (Richardson), 1-abstention (Nerby).

Mr. Perez stated the next step in the process would be the issuance of the lease to the City once the Council accepts the Land Use Plan.

In response to a question from Interim City Manager Nancy Gross, Mr. Perez stated that the City would not be able to take ownership of the reclaimed tidelands because, by statute, the City would have to be a first-class or home-rule city, or the action initiated before April 20, 1963.

motion

M/M by Hawkins, 2nd by Warner to adjourn the meeting at 9:30 PM. Voice vote. Motion carried unanimously.

Connie Tucker

Connie Tucker, Commission Clerk



CITY OF BETHEL

P.O. Box 388 • Bethel, Alaska 99559
907-543-2087
FAX # 543-4171

PLANNING COMMISSION MEETING MINUTES

April 8, 1993

CALL TO ORDER Acting Chairman Warner called the regular Planning Commission meeting of April 8, 1993, to order at 7:50 PM.

ROLL CALL Present: Bill Adams, Joan Hamilton, Jake Metcalfe, Tom Warner
Absent: Louie Andrew, John Guinn, Doug Moody

Also present were Interim City Manager Nancy Gross and Al Bianchi from the Planning Department.

APPROVAL/MINUTES M/M by Metcalfe, 2nd by Adams to approve the minutes of the March 11, 1993, regular Commission meeting as presented. Voice vote. Motion carried unanimously.

APPROVAL/AGENDA M/M by Metcalfe, 2nd by Hamilton to approve the agenda by deleting Old Business Item B and New Business Item B. Voice vote. Motion carried unanimously.

COMMUNICATIONS Mr. Bianchi informed the Commission of two Public Notices received from the Corps of Engineers regarding applications for Individual Permits. Mr. Bianchi told the Commission the Public Notices would be available in the Planning office.

PLANNER'S REPORT Ms. Gross informed the Commission that the City had started the land disposal process for Lot 4, Block 8, USS 3790. Ms. Gross stated that this was in response to the information the City had received that Mr. Crow was in final negotiations of leasing the property.

PEOPLE TO BE HEARD Mr. Bianchi spoke to the Commission on behalf of John Angaiak. Mr. Angaiak wants to build an addition to his house and will need a variance for the addition. Mr. Angaiak also wanted to know if the existing building would have to be moved after the addition, since it

**PLANNING COMMISSION
MEETING MINUTES
APRIL 8, 1993
PAGE 2**

now sits in the setback on two sides. Acting Chair Warner suggested Mr. Angaiak apply for variances on all sides in the setback and added that he did not foresee the Commission requiring Mr. Angaiak to move the existing building.

OLD BUSINESS

**Item A: FAA Land
Use Request**

FAA LAND USE REQUEST

Representatives from the FAA addressed the Commission regarding the overview of their proposed project:

--The FAA wants to build 32 units--22 single family units and 10 multi-family units on the existing site plus on the 3.1 acre parcel it hopes to acquire from the City. The construction would start in the summer of 1994, with work on the new site first and then replacement of the existing houses.

--The FAA is considering extending their sewer line to hook up with the City's service and would help finance the cost of the extension. The FAA also indicated it would be willing to look at helping the City in the extension of the water and sewer lines to the airport and Tundra Ridge.

--A new community service facility would be built with an attached heated school bus stop.

--The FAA would encourage the contractor to practice local hire as much as possible.

Ms. Hamilton spoke against the idea of "compounding" all of the employees in one area, and suggested the FAA invest in properties spread throughout the town.

motion

M/M by Metcalfe, 2nd by Adams to recommend to Council they enter into negotiations for the disposal of the property. Discussion:

-Mr. Metcalfe pointed out the potential economic benefit to other areas of town.

PLANNING COMMISSION
MEETING MINUTES
APRIL 8, 1993
PAGE 3

cooperation of utility development in the airport area.

Voice vote. Motion failed, 3-yes, 1-no (Hamilton).

motion

M/M by Metcalfe, 2nd by Adams to recommend to Council they enter into negotiations for the disposal of the land with the Commission's concern about "compounding" noted. Voice vote. Motion carried unanimously.

Acting Chairman Warner requested the FAA share the plans as they develop with the Commission.

NEW BUSINESS

Item A: Variance
Request-Domnick

VARIANCE SETBACK REQUEST--LOT 5, PHASE I, BLUEBERRY SUBDIVISION

Acting Chairman Warner referred the Commission to the memo from Mr. Bianchi stating that the adjacent landowners to Mr. Domnick had no objections to the variance request.

Mr. Domnick addressed the Commission on the sequence of events that precipitated the construction. Mr. Domnick stated he had contacted the Planning department many times and requested a site visit prior to construction; however, no visit was made.

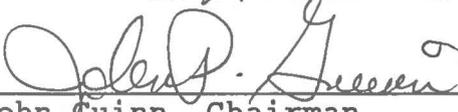
motion

M/M by Adams, 2nd by Hamilton to approve the variance for Mr. Domnick. Voice vote. Motion carried unanimously.

motion

M/M by Adams, 2nd by Hamilton to adjourn the meeting at 8:50 P.M. Voice vote. Motion carried unanimously.

PASSED AND APPROVED THIS 13TH DAY OF MAY, 1993.



John Guinn, Chairman

ATTEST:



Connie Tucker, Commission Clerk



CITY OF BETHEL

P.O. Box 388 • Bethel, Alaska 99559

907-543-2087

FAX # 543-4171

PLANNING/PORT SPECIAL MEETING MINUTES

April 12, 1993

CALL TO ORDER

Port Commission Chairman DeSousa called the special Planning/Port Commission meeting of April 12, 1993, to order at 7:40 pm.

ROLL CALL

Present: (Port) Allen DeSousa, John Hawkins, Grant Fairbanks, Bruce Nerby, Buster Richardson, Allan Wintersteen; (Planning) Bill Adams, John Guinn, Joan Hamilton, Jake Metcalfe

Absent, excused: (Port) Manny Konig; (Planning) Doug Moody, Tom Warner

Absent, unexcused: (Planning) Louie Andrew

Also present were Bartz Englishhoe of Englishhoe and Associates and Port Director Stuart Greydanus.

Port Commission Chairman DeSousa opened the Public Hearing on the Comprehensive Land Use and Development Plan for the City of Bethel's Reclaimed Tidelands.

PEOPLE TO BE HEARD

J.B. Crow passed out a photo of his property taken in July, 1980, depicting the seawall he built. Mr. Crow reiterated his suggestion that the City use their in-house surveyor to determine the meander lines from all evidence. Mr. Crow stated that doing so could prevent costly future litigation. Mr. Englishhoe said that the State is touchy about the surveys for the leases and probably would not accept any other survey.

City Manager Nancy Gross addressed the joint Commissions stating the reasons the City wanted the meeting were to formally approve the vacation and rededication of public access easements and to clarify the second paragraph on page 8 under the heading "Subleases." Ms. Gross specifically asked for a decision concerning the upland owners' subleasing their sublease for the reclaimed tidelands.

Mr. Englishhoe reminded the Commissions that the

**PORT/PLANNING SPECIAL
MEETING MINUTES
APRIL 12, 1993
PAGE 2**

lease to the City from the State would have strict stipulations that any subleasees would have to comply with.

Seeing no other people who wished to speak, Chairman DeSousa closed the Public Hearing and opened the meeting to comments of Commissioners.

**COMMISSIONERS'
COMMENTS**

Mr. Nerby stated that requiring the upland owners to enter into a lease for the reclaimed lands in front of their property denies the owners their right to continue what they've traditionally done before.

Mr. Fairbanks spoke in favor of allowing the upland owners to sublease their sublease with permission of the governing body.

Mr. Nerby stated the lease with the upland owner should include access to the water over the seawall.

Mr. Fairbanks suggested the upland owner be given first refusal to moorage space on the seawall in front of his property. Mr. Richardson agreed, as long as the going moorage rate was charged to the owner.

motion

M/M Hawkins to table the discussion of technicalities and deal only with the issues the Commissions had information on. Motion died for lack of a second.

Mr. Englishoe suggested changing the second paragraph to state the City could enter into a sublease with a third party if the upland owner did not wish to lease the reclaimed land. Mr. Guinn agreed provided the existing access be maintained.

motion

M/M Richardson, 2nd by Hawkins that the sublease portion of the CLUDP state that upland owners have the first option to sublease the reclaimed tidelands in front of their property, with the provision that access cannot be cut off across the property; the upland owners also be given first option to enter a separate lease for the seawall space along the reclaimed land at the current moorage rate; and if the upland owners wish to

**PORT/PLANNING SPECIAL
MEETING MINUTES
APRIL 12, 1993
PAGE 3**

sublease their sublease, they must first receive permission from the City Council.

motion M/M Buster, 2nd by Hawkins to amend the motion to allow the City to enter into a sublease for moorage with a third party if the upland owner does not wish to exercise his option. Poll vote. Motion as amended passed, 9-yes, 1-abstain (Nerby).

motion M/M by Guinn, 2nd by Richardson to change the language in the second paragraph under the heading "Subleases" to read "The City may enter into a sublease with a third party." Poll vote. Motion carried, 8-yes, 1-no (DeSousa), 1-abstain (Nerby).

motion M/M by Fairbanks, 2nd by Hawkins to designate the center of the beach at the end of Tract D as float plane access only and to vacate the public access easement across Tract D. Poll vote. Motion carried, 9-yes, 1-no (Richardson).

motion M/M by Richardson, 2nd by Guinn to formally vacate the fifty foot public access easement in Tract C and to move it down the seawall. Poll vote. Motion carried unanimously.

motion M/M by Richardson, 2nd by Fairbanks to vacate the public access easement as located at the end of Tract E. Poll vote. Motion carried unanimously.

motion M/M by Fairbanks, 2nd by Guinn to vacate the public access easement in Tract F. Poll vote. Motion carried unanimously.

motion M/M Fairbankss, 2nd by Hawkins to eliminate the last sentence on page 9 under Lot 9, Block 20. Poll vote. Motion failed, 6-no, 2-yes (Fairbanks, Hawkins), 1-abstain (Nerby).

motion M/M by Richardson, 2nd by Guinn to adjourn the meeting at 10:05 pm. Voice vote. Motion carried unanimously.



Connie Tucker, Commission Clerk



CITY OF BETHEL

P O. Box 388 • Bethel, Alaska 99559
907-543-2087
FAX # 543-4171

PLANNING COMMISSION MEETING MINUTES

May 13, 1993

CALL TO ORDER

Chairman Guinn called the regular Planning Commission meeting of May 13, 1993, to order at 7:34 PM.

ROLL CALL

Present: John Guinn, Joan Hamilton, Jake Metcalfe, Doug Moody, Tom Warner
Absent, excused: Bill Adams, Louie Andrew

Also present were Al Bianchi, Planning Technician, and William Hunter, City Manger.

APPROVAL/MINUTES

M/M by Metcalfe, 2nd by Hamilton to approve the minutes of the April 8, 1993, regular Commission meeting as presented. Voice vote. Motion carried unanimously.

APPROVAL/AGENDA

M/M by Warner, 2nd by Metcalfe to amend the agenda by adding New Business Item E: Recommendation on Lease of Lot 4, Block 8, USS 3790; Item F: Recommendation on Lease of Senior Center Office Space A; and Item G: Recommendation on Lease of Senior Center Office Space B. Voice vote. Motion carried unanimously.

COMMUNICATIONS

Mr. Bianchi informed the Commission of a Public Notice sent by the Corps of Engineers concerning a permit application on the Salmon River.

Mr. Bianchi referred the Commission to a letter received from ONC requesting a waiver for the Site Plan Application fees on four new houses they are building.

motion

M/M by Moody, 2nd by Metcalfe to recommend to Council that the Site Plan application fees be waived. Voice vote. Motion carried unanimously.

**PLANNING COMMISSION
MEETING MINUTES
MAY 13, 1993
PAGE 2**

PLANNER'S REPORT

Mr. Bianchi referred the Commission to his written report and discussed the following items:

-In response to Mr. Warner's question regarding the requirements of National Flood Insurance Plan Elevation Certificates, Mr. Bianchi stated that the City is only obligated to keep a copy of the certificate on file.

-Regarding the Community Gardens site selection, Mr. Bianchi reported the committee was looking at a piece of property owned by the Moravian Church and a piece that was municipal reserve property.

-In answer to Mr. Warner's question concerning the unauthorized use of the City Sand Pit, Mr. Bianchi confirmed that the use had stopped.

-When asked for an update on identifying problem culverts, Mr. Bianchi stated he would like to work with the Public Works department to identify the most critical culverts and form an action plan for thawing.

motion

M/M by Moody, 2nd by Hamilton that the Planning Commission recommend to the City Manager that Planning and Public Works work together to develop a plan to identify problem culverts for thawing. Voice vote. Motion carried unanimously. Mr. Warner added that the plan should identify which culverts are critical during thawing.

PEOPLE TO BE HEARD

Chairman Guinn discussed the Planning Manager Applicants and Mr. Hunter's invitation to review them. May 18 at 2:00 P.M. was set as the time to review.

James Randall spoke on his wish to build a road to his property on Tundra Street. Mr. Warner stated that if Mr. Randall built a road that met City specifications, the City would then accept the road and maintain it. However, if Mr. Randall's road did not the specifications, the City had no obligation to maintain or drive City vehicles on the road. Chairman Guinn stated that Mr. Randall could

**PLANNING COMMISSION
MEETING MINUTES
MAY 13, 1993
PAGE 3**

build his road if he stayed within the right-of-way, and if he wants City Services, the road must be maintained.

OLD BUSINESS

**Item A: Special
Committee Rec.**

**SPECIAL COMMITTEE RECOMMENDATION CONCERNING
J.B. CROW'S CLAIM TO LOT 4, BLOCK 8, USS 3790**

Special Committee Chairman Metcalfe presented his report to the Commission concerning the Committee's findings. Mr. Metcalfe stated that he could not make a recommendation until he received further information on the process the Townsite Trustee used in deeding the lot to the City. He also suggested the City research BLM records to obtain the information.

Mr. Warner questioned Mr. Crow on his position regarding the lease of Lot 4. Mr. Crow responded that he was not in a position to oppose or support the lease.

motion

M/M by Warner that the Planning Commission recommend to the City Manager that the City investigate the Townsite Trustee's conveyance of the lot to the City through the BLM records; that the Planning Commission recommend the lease of Lot 4, Block 8, USS 3790, to Golden Age Seafoods; and that the money from the lease be placed in an escrow account pending the final outcome of ownership.

Chairman Guinn pointed out that part of the motion dealt with a later agenda item. Motion withdrawn.

motion

M/M by Metcalfe, 2nd by Hamilton that the Planning Commission recommend to the City Manager that the City investigate BLM's records concerning the Townsite Trustee deed to Lot 4, Block 8, USS 3790. Voice vote. Motion carried unanimously.

**PLANNING COMMISSION
MEETING MINUTES
MAY 13, 1993
PAGE 4**

NEW BUSINESS

Item A: Variance

VARIANCE SETBACK REQUEST--BOB ANGAIK

Chairman Guinn asked the Commission for a determination if he had a conflict of interest in this matter since Mr. Angaiak works for him. The Commission decided by consensus that Chairman Guinn had no conflict of interest.

Mr. Angaiak passed out plans for his house addition and signed statements from an adjacent property owner. Mr. Angaiak stated that the other adjacent property owner had given his verbal approval for the project.

motion

M/M by Warner, 2nd by Moody to approve the variance of the setback requirements of Lot 1, Block 2, USS 3770. Voice vote. Motion carried unanimously.

**Item B: Waste
Heat Easements**

WASTE HEAT EASEMENT PLATS (2)

Mr. Bianchi presented the Commission with two remaining waste heat easement plats.

Mr. Warner questioned if the owner needed to sign the plat before the Commission approved the plat.

motion

M/M by Warner, 2nd by Metcalfe to approve the waste heat easement along the south boundary along Tract C, and to wait for the owner's signature on the waste heat easement to the 800 building. Voice vote. Motion carried unanimously.

**Item C: Approve
Prelim. Plat**

**APPROVAL OF PRELIMINARY PLAT OF 14(c)3
RECONVEYANCE--SEWER LAGOON AREA**

Mr. Bianchi referred the Commission to the map with the area of the plat outlined. Mr. Bianchi also pointed out that the 342.9 acres the survey listed included some land already conveyed to the City and should not be double counted toward the total of 1280 acres.

**PLANNING COMMISSION
MEETING MINUTES
MAY 13, 1993
PAGE 5**

Mr. Warner asked if there were existing plats for the lands already conveyed. Mr. Bianchi indicated that there were no plats, but Meets and Bounds descriptions.

motion

M/M by Warner, 2nd by Hamilton to accept the preliminary plat of the BNC conveyance of 14(c)3 lands, noting that the survey indicates 342.9 acres, pending final plat, final conveyance and approval by BNC and the City Council. Voice vote. Motion carried unanimously.

Item D: Cemetery

CEMETERY

Chairman Guinn briefly outlined the memos to the Commission concerning the problems with the cemetery.

Father McCaffrey of the Catholic Church addressed the Commission on the following items:

- The new cemetery is being used and has about 6-8 graves in it; however, the old cemetery is favored.
- The City has an obligation to maintain the cemetery.
- There is no map or permit system in place to assist in choosing a gravesite.
- There is no marker system required for the cemetery.
- If the southeast corner of the cemetery were filled in, there would be room for approximately two to three more rows.

Chairman Guinn stated that the fence around the cemetery had been placed by the VFW using a combination of high water marks and where the boundary was thought to be. Chairman Guinn agreed with Father McCaffrey that a plat of the cemetery showing the burial sites needed to be assembled.

Mr. Warner suggested that between City staff, Father McCaffrey and the Moravian Church a plan of existing graves could be drawn up. Mr. Warner also suggested that if the fence was not on the boundary, it could be moved and

**PLANNING COMMISSION
MEETING MINUTES
MAY 13, 1993
PAGE 6**

perhaps create more room.

Father McCaffrey stated that the most immediate concern to him was the placing of fill material, since that could only be done in the summer.

Chairman Guinn suggested the City Manager should work with Public Works to make the existing driveway a permanent drive.

motion

M/M by Warner, 2nd by Metcalfe that the Planning Commission recommend that Administration and Public Works investigate the feasibility of adding fill along the southern boundary of the cemetery to increase the area for burials, and to map out the space available for graves and to work on a map of existing graves. Voice vote. Motion carried unanimously.

Father McCaffrey suggested some survey work should be done to place the fence correctly before placing any fill.

Item E: Recommendation on Lot 4

**RECOMMENDATION TO COUNCIL ON LEASE OF LOT 4,
BLOCK 8, USS 3790 TO GOLDEN AGE SEAFOODS**

motion

M/M by Warner, 2nd by Hamilton to recommend to Council to proceed with the lease of Lot 4 to Golden Age Seafoods for one season/one year, the proceeds from the lease to be held in escrow pending the resolution of ownership. Voice vote. Motion carried unanimously.

**Items F & G:
Recommendation**

**RECOMMENDATION TO COUNCIL ON LEASE OF OFFICE
SPACES A & B, EDDIE HOFFMAN SENIOR CENTER**

By consensus, the Commission decided to combine New Business Items F & G.

motion

M/M by Metcalfe, 2nd by Warner to recommend to Council the lease of office spaces A & B, Ordinances #93-12 and 93-13, to S & J Associates with the negotiation of the terms left to Council. Voice vote. Motion carried

**PLANNING COMMISSION
MEETING MINUTES
MAY 13, 1993
PAGE 7**

unanimously.

motion

M/M by Warner, 2nd by Metcalfe to adjourn the meeting at 9:32 pm. Voice vote. Motion carried unanimously.

PASSED AND APPROVED THIS _____ DAY OF _____, 1993.

John Guinn, Chairman

ATTEST:

Connie Tucker, Commission Clerk



CITY OF BETHEL

P.O. Box 388 • Bethel, Alaska 99559
907-543-2087
FAX # 543-4171

PLANNING COMMISSION MEETING MINUTES

June 10, 1993

CALL TO ORDER

Acting Chairman Warner called the regular Planning Commission meeting of June 10, 1993, to order at 7:30 PM.

ROLL CALL

Present: Bill Adams, Louie Andrew, Joan Hamilton, Doug Moody, Tom Warner
Absent: John Guinn, Jake Metcalfe

Also present: City Manager William Hunter
Al Bianchi, Planning

APPROVAL/MINUTES

M/M by Metcalfe, 2nd by Adams to amend the minutes of the May 13, 1993, regular Commission meeting by adding the word "meet" to the last paragraph of page two, sixth line. Voice vote. Motion carried unanimously.

APPROVAL/AGENDA

M/M by Adams, 2nd by Moody to amend the agenda by deleting New Business Items C and D. Voice vote. Motion carried unanimously.

COMMUNICATIONS

There were no communications presented.

PLANNER'S REPORT

Mr. Bianchi referred the commissioners to his written report and answered questions regarding the bank stabilization project and the Kilbuck property.

PEOPLE TO BE HEARD

There were no people to be heard.

OLD BUSINESS

There were no Old Business items.

NEW BUSINESS

Item A: Variance
Request

**VARIANCE REQUEST: LOT 4, BLOCK 2 OF BLOCK 9,
USS 3770--DALE CURDA**

Mr. Curda's representative addressed the Commission requesting a variance for the front or side setback requirements to build a garage.

**PLANNING COMMISSION
MEETING MINUTES
JUNE 10, 1993
PAGE 2**

Mr. Bianchi recommended granting a variance for the front setback, since a utility easement for future water/sewer lines ran along the side of the property.

motion

M/M by Adams, 2nd by Moody to approve the setback variance to nine feet instead of fifteen feet along Napakiak Drive. Voice vote. Motion carried unanimously.

**Item B: Variance
Request**

**VARIANCE REQUEST: FENCE PLACEMENT ON PROPERTY
LINE IDENTIFYING YKHC'S OWNERSHIP OF LOT 8,
BLOCK 6, USS 3790**

Greg McIntyre, representing YKHC, addressed the Commission requesting a variance to allow a chain link fence to be placed approximately one foot from the lot line, with no affect to the adjacent lot.

Commissioner Andrew abstained from the discussion and voting, stating a conflict of interest as he works for YKHC.

motion

M/M by Adams, 2nd by Moody to approve the fencing as described. Voice vote. Motion carried unanimously.

**Item E: Variance
Requests**

**VARIANCE REQUESTS: ALASKA HOUSING FINANCE
CORPORATION--SETBACK VARIANCES FOR 18 UNITS**

Jim Murphy of AHFC addressed the Commission and explained the project. Mr. Murphy stated that most of the renovated houses already exist in the setbacks and the footprints would not be altered. Mr. Murphy identified the houses that would have alterations to the footprints.

motion

M/M by Andrew, 2nd by Hamilton to approve and grant variances to Alaska Housing Finance Corporation for eighteen housing units. Voice vote. Motion carried unanimously.

**Item F: Lena
Phillips**

**PRELIMINARY PLAT/PRELIMINARY CONSULTATION OF
PHASE I--LENA PHILLIPS NATIVE ALLOTMENT**

Dario Notti addressed the Commission informing

**PLANNING COMMISSION
MEETING MINUTES
JUNE 10, 1993
PAGE 3**

them of the plan to subdivide Lena Phillips' Native Allotment. The initial phase would develop sixteen lots along Ptarmigan Road with the later phases occurring as income allows.

motion

M/M by Andrew, 2nd by Adams to table this item until the next meeting to obtain more information; specifically a plat which delineates the phases of the subdivision and a review of the subdivision ordinance and land use designations. Voice vote. Motion carried unanimously.

motion

M/M by Andrew, 2nd by Moody to adjourn the regular meeting of the Planning Commission at 8:25 p.m. Voice vote. Motion carried unanimously.

PASSED AND APPROVED THIS _____ DAY OF _____, 1993.

John Guinn, Chairman

ATTEST:

Thomas Bouillon, Planning Manager



CITY OF BETHEL

P.O. Box 388 • Bethel, Alaska 99559

543-2297—Area Code 907

PLANNING COMMISSION MEETING MINUTES

July 8, 1993

CALL TO ORDER

Acting Chairman Warner called the regular Planning Commission meeting of July 8, 1993, to order at 7:30 PM.

ROLL CALL

Present: Joan Hamilton, Jake Metcalfe, Doug Moody, Tom Warner
Absent: Bill Adams, Louie Andrew, John Guinn

Also present: Tom Bouillion; Planning Joe Corrigan; Bethel Group Home, Kent Crandall; DOT, Jerry Haines; BCS, William Hunter; City Manager, Vern Keezer, Tad Miller, Dario Notti, George Peratrovich; BCS, Gary Vanasse

APPROVAL/MINUTES

M/M By Hamilton, 2nd by Moody to amend the minutes of the July 8, 1993 regular Commission meeting by changing 'Metcalfe' to 'Hamilton' for the motion made for the approval of minutes. Voice vote. Motion carried unanimously.

APPROVAL/AGENDA

M/M by Metcalfe, 2nd by Hamilton to approve the agenda. Voice vote. Motion carried unanimously.

COMMUNICATIONS

There were no communications presented.

PLANNER'S REPORT

Mr. Bouillion referred the commissioners to the written report prepared by Mr. Bianchi of Planning. There were no questions or comments by the commissioners.

PEOPLE TO BE HEARD

Vern Keezer presented the commissioners with a proposal to grant an easement to the City of Bethel so that it could take control of a private road known as Trailer Court Road. This issue was referred to staff for further



CITY OF BETHEL

P.O. Box 388 • Bethel, Alaska 99559

543-2297—Area Code 907

study, with any recommendations to be reported at the next Planning Commission meeting.

OLD BUSINESS

Item A: Variance Request

VARIANCE REQUEST: LOT 7, BLOCK 3, TUNDRA RIDGE--GEORGE HOHMAN

George Hohman addressed the Commission requesting a variance for the front and rear setback requirements to build a garage.

Mr. Bianchi in his report suggested there was no problem with granting a variance for the western side setback. However, granting a variance for the rear setback might conflict with the utility easement.

motion

M/M by Metcalfe, 2nd by Hamilton to approve the setback variance on the condition that the garage be moved by the applicant if the easement needed to be used to provide utility services in the future. Voice vote. Motion carried unanimously.

Item B: Lena Phillips

PRELIMINARY PLAT OF LENA PHILLIPS SUBDIVISION --LENA PHILLIPS

Mr. Bouillion tried to clarify questions from the last Commission meeting regarding how the subdivision would be phased in its development. Dario Notti, the representative for Lena Phillips, was asked if there had been any provision for greenspaces in the subdivision proposal. Mr. Notti replied that a deal was made with the city to waive the greenspace requirement because some of Lena Phillip's land was used to widen Ptarmigan Rd. Planning staff was asked to locate a copy of this agreement, to investigate what constitutes the greenspace requirement, and to provide public notice as per the requirements of the preliminary plat. The next Commission meeting will also serve as



CITY OF BETHEL

P.O. Box 388 • Bethel, Alaska 99559

543-2297—Area Code 907

the public hearing for the preliminary plat. Mr. Notti was advised that he should return to the next Commission meeting with a location of a greenspace set aside. No other action was taken.

NEW BUSINESS

Item A: Land
Acquisition
Request

LAND ACQUISITION REQUEST FOR YOUTH FACILITY

William Hunter advised the Commission that his role was to act as a mediator between the two different parties, the state and the coalition of local service providers. Kent Crandall of the State D.O.T. spoke to the Commission regarding the state's history and interest in developing the group home, while Joe Corrigan of Bethel Group Home did the same for the local service providers. Tom Bouillion showed two possible sites on city land where the home might be located. These sites were deemed inappropriate by Commission members due to questions of ownership and proximity to the sewage lagoon. Planning staff was directed to locate more appropriate sites. No other action was taken.

motion

M/M by Hamilton, 2nd by Moody to adjourn the regular meeting of the Planning Commission at 9:15 p.m. Voice vote. Motion carried unanimously.

PASSED AND APPROVED THIS _____ DAY OF _____, 1993.

John Guinn, Chairman

ATTEST:

Tom Bouillion, Planning Manager



CITY OF BETHEL

P.O. Box 388 • Bethel, Alaska 99559
907-543-2087
FAX # 543-4171

PLANNING COMMISSION MEETING MINUTES

August 12, 1993

CALL TO ORDER

Chairman Guinn called the regular Planning Commission meeting of August 12, 1993, to order at 7:30 PM.

ROLL CALL

Present: Joan Hamilton, Jake Metcalfe, Doug Moody, Tom Warner, Bill Adams, John Guinn.

Absent: Louie Andrew.

Also present: Tom Bouillion; Planning, Tad Miller; AVCP, Elaine Tompkins, Nellie Mc Elwee, Walter Larsen, Gary Vanasse, Dave Trantham.

APPROVAL/MINUTES

M/M by Metcalfe, 2nd by Hamilton to approve the minutes of the July 8, 1993 regular Commission meeting. Voice vote. Motion carried unanimously.

APPROVAL/AGENDA

M/M by Warner, 2nd by Metcalfe to approve the agenda. Voice vote. Motion carried unanimously.

COMMUNICATIONS

Mr. Bouillion presented several communications to the Commissioners including a proposal by the Lions Club to help the City develop a new playground.

PLANNER'S REPORT

Mr. Bouillion referred the commissioners to his written report, which included a letter written to Bob Graham requiring him to cease work on his site until a culvert is installed, a letter written to Mary Tombaganak asking her to work with the City to find a new home site and a letter to Ben Barnes indicating the City will not be purchasing a piece of land at 176 East Avenue.

PEOPLE TO BE HEARD

Mrs. Elaine Tompkins presented a proposal to

build a road not up to city standards within a public right-of-way in order to gain access to her lot. Mr. Bouillion asked Mrs. Tompkins to come before the Planning Commission in order to get its opinion on the matter. Mr. Warner advised that the road could be built, but that the city had no obligation to accept or maintain the road if it was not up to city standards.

motion

M/M Warner, 2nd by Moody to approve the addition of 10 feet by 200 feet of fill in the right-of-way of 5th Avenue in order to create access to lot 5, block 12, Reich subdivision. Voice vote. Motion carried unanimously.

Mrs. Nellie Mc Elwee wanted to get her preliminary plat signed by the Commission so it could be recorded. Mr. Bouillion thought that the notice requirement had not been satisfied. Mr. Warner was concerned that the plat did not show access to public roads as required by the municipal code. Mr. Guinn suggested that these deficiencies be taken care of before returning to the next Planning Commission meeting for approval.

Walter Larsen spoke to the Commissioners discussing his plans for a subdivision near H-Marker Lake. He also spoke about his concern over the lack of space in the old cemetery and the lack of suitability of the new cemetery. The Commissioners directed Mr. Bouillion to check past Planning Commission minutes regarding this issue.

NEW BUSINESS

Item A:

**PRELIMINARY PLAT OF LENA PHILLIPS SUBDIVISION
-LENA PHILLIPS**

Nobody came forward to speak on the behalf of Lena Phillips. Dave Trantham and Gary Vanasse spoke about their concerns that the development be orderly and that existing hazardous materials be removed from the site. Mr. Bouillion stated that there appeared to be an agreement in the past that there was an agreement to swap right-of-way land on Ptarmigan Road in exchange for recreation space in the proposed subdivision. Mr. Warner stated that he would like to see more documentation regarding this agreement. He also stated that Mr. Notti, as Lena Phillips

representative, still needed to come forward to define the recreation space requirements and to get rid of his junk before the preliminary plat could be approved. Mr. Moody asked Mr. Bouillion to research what power the Planning Commission has to enforce conditions not related to the subdivision ordinance.

motion

M/M Warner, 2nd by Adams to table the issue until more documentation is produced regarding the deal trading recreation space for road right-of-way, until documentation from the BIA is produced showing the status of the land, until a complete plat map showing proposed recreation space is produced and until the junked cars and hazardous materials are removed from the site. Voice vote. The motion passed unanimously.

ITEM B:

DEDICATION OF TRAILER COURT ROAD

Nobody was present to speak on behalf of the proposal to grant Trailer Court Road to the City of Bethel. Mr. Bouillion presented an analysis that recommended acceptance by the City only if the applicant paid to bring the street up to City standards, pay to move three existing telephone poles and provided the minimum 50 foot right-of-way

motion

M/M Warner, 2nd by Moody to accept the road for the City only if the applicant pays to bring the road to city standards, relocates three power poles in the proposed road bed expansion and expand the right-of-way dedication to the code required minimum. Voice vote. Motion passed unanimously.

NEW BUSINESS

Item A:

PRELIMINARY ABBREVIATED PLAT: LOT 15, BLOCK 4, REICH SUBDIVISION-FRAN REICH

Fran Reich proposed a preliminary abbreviated plat, creating two single lots from a larger lot. Mr. Bouillion informed the Commission that the public notice requirements had been satisfied.

motion

M/M Warner, 2nd by Adams to approve the preliminary abbreviated plat of lot 15, block 4, Reich subdivision. Voice vote. Motion passed unanimously.

Item B: COMMISSION TREATMENT OF THE VARIANCE POLICY

Mr. Bouillion presented a report on the importance of granting variances only in limited situations. No action was taken by the Commission.

Item C: LEASE OF CITY LAND FOR THE PURPOSE OF A CHILDREN'S RECEIVING HOME: TRACT C, BLOCK 4 OF THE REPLAT OF TURNKEY 3 HOUSING DEVELOPMENT

Tad Miller of AVCP Receiving Home acted as the spokesperson for the proposal. The Commissioners were asked to recommend the lease to the City Council. Mr. Warner and Mr. Metcalfe expressed concern that the City was being pressured into the lease of its land. Mr. Moody thought that the need for this facility was extremely high.

motion M/M Moody, 2nd Adams to recommend that the City Council negotiate a lease for the purpose of a children's receiving home. Voice vote. Motion passed, 4 for (Adams, Guinn, Metcalfe, Moody) 2 against the motion (Hamilton, Warner).

Item D: ESTABLISHMENT OF A TASK FORCE FOR THE CONTROL OF AIR QUALITY

Mr. Bouillion presented some of the air quality dangers associated with blowing dust. Mr. Metcalfe also informed the Commissioners of air quality hazards and invited members to volunteer for the task force. No action was taken by the Commission.

motion M/M by Warner, 2nd by Hamilton to adjourn the regular meeting of the Planning Commission at 10:20 p.m. Voice vote. Motion carried unanimously.

PASSED AND APPROVED THIS _____ DAY OF _____, 1993.

John Guinn, Chairman

ATTEST:

Tom Bouillion, Planning Manager



CITY OF BETHEL

P.O. Box 388 • Bethel, Alaska 99559
907-543-2087
FAX # 543-4171

PLANNING COMMISSION MEETING MINUTES

September 9, 1993

CALL TO ORDER

Chairman Guinn called the regular Planning Commission meeting of September 9, 1993 to order at 7:30 PM.

ROLL CALL

Present: Bill Adams, John Guinn, Joan Hamilton, Doug Moody, Tom Warner.

Absent: Louie Andrew, Jake Metcalfe

Also

Present: Tom Bouillion; Planning, Tad Miller; AVCP Receiving Home, Elaine Tompkins, Nellie Mc Elwee, Allan Wintersteen, Mildred Samuelson, Bob Graham, Bill Stokes; DEC, Donna Abrant, Don Shantz, Ted Simmons, Duane Gross, Tracy Silta, John Angaiak, Kathy Olson, Ann Willard, Dean Isberg and other residents of Ptarmigan Subdivision and ASHA Housing.

APPROVAL/MINUTES

M/M by Warner, 2nd by Adams to approve the minutes of the August 12, 1993 regular Commission meeting. Voice vote. Motion carried unanimously.

APPROVAL/AGENDA

M/M by Warner, 2nd by Hamilton to approve the agenda. Voice vote. Motion carried unanimously.

COMMUNICATIONS

No communications were presented.

PLANNER'S REPORT

Mr. Bouillion referred the Commissioners to his written report, which included investigation into the J.B. Crow land claim, progress on negotiations with Bethel Utilities Corporation in getting the waste heat line restored, investigation into past deals made regarding Lena Phillips subdivision and progress on bringing trees to

Bethel. Additionally, Mr. Bouillion asked the Commissioners if they had any knowledge as to the whereabouts of several hundred trees that were given to Bethel in 1991.

PEOPLE TO BE HEARD

Mr. Bouillion presented a request by Dan Wohl of Alaskan Consulting Surveyors for the Commission to the plat of the sewage lagoon so that it could be properly conveyed under the ANCSA 14 (c) 3 process. Mr. Guinn suggested there were notice requirements that needed to be satisfied and so the item should be postponed until the next meeting.

Mrs. Elaine Tompkins presented a proposal to subdivide a lot into two parcels. Mr. Warner suggested that under the process for a preliminary abbreviated plat, seven days notice needed to be provided and adjacent property owners notified by mail. Mrs. Tompkins was told to return to the next Commission meeting so that these requirements could be satisfied.

Mildred Samuelson spoke regarding a proposal to place fill dirt and a house on her property. Mr. Guinn suggested that the proposal could be taken care of under the site plan process and that she should speak to Mr. Bouillion during office hours.

Bill Stokes suggested to the Commissioners that the City use either a public nuisance or abandonment ordinance as a means to deal with junked cars that pose an environmental hazard. Mr. Guinn asked Mr. Bouillion to locate a possible site for a junk yard for these cars and to investigate the legality of the City removing junked cars from private property. Mr. Warner said he would bring up the issue at the next City Council meeting.

Bob Graham handed out a preliminary proposal for his development located on the north side of Ptarmigan Street prior to coming before the Planning Commission in October. Mr. Bouillion assured the Commissioners that Mr. Graham will be on the agenda for the October meeting and that all appropriate notice requirements will be satisfied.

OLD BUSINESS

Item A:

PRELIMINARY ABBREVIATED PLAT: LOT 13, H-MARKER LAKE SUBDIVISION-NELLIE MC ELWEE

Mrs. Mc Elwee presented an abbreviated plat that was continued from last meeting because the notice requirements had not been satisfied and the preliminary plat did not show public road access. Mr. Bouillion recommended approval of the preliminary plat. Mr. Warner pointed out that the revised abbreviated plat did still not have a fifty foot right-of-way as required in the subdivision ordinance.

motion

M/M by Warner, 2nd by Moody to approve the abbreviated preliminary plat on the condition that a fifty foot road easement be drawn on the plat to the point where it must physically be narrowed to thirty feet. Voice vote. Motion carried unanimously.

NEW BUSINESS

Item A:

**PRELIMINARY ABBREVIATED PLAT: TRACT D-5,
BLUEBERRY FIELDS SUBDIVISION-DON SHANTZ**

Don Shantz presented an abbreviated plat for preliminary approval by the Planning Commission. Mr. Bouillion recommended approval of the preliminary plat. Mr. Warner stated that he saw no problems with the plat related to minimum lot size, road access or public notice as required by the subdivision ordinance.

motion

M/M by Hamilton, 2nd by Warner to approve the abbreviated preliminary plat. Voice vote. Motion carried unanimously.

Item B:

**CONDITIONAL USE IN A RESIDENTIAL
NEIGHBORHOOD: CHILDREN'S RECEIVING HOME AT
226 PTARMIGAN STREET**

Mr. Bouillion recommended approval of the conditional use on the condition that the building be connected to the piped water and sewer system, that the site have sufficient vehicular access off of Ptarmigan Street and that the children of the facility be inside by a reasonable hour at night to reduce the amount of noise generated. Chairman Guinn opened the floor for public comment.

Donna Abrant spoke on behalf of the residents of Ptarmigan Subdivision and ASHA Housing and presented a petition which was signed by approximately 56 persons from the area which opposed the receiving home's proposed

location. She expressed a desire that the neighborhood should remain residential in character and that the receiving home was not in keeping with this character. Tad Miller of AVCP receiving home mentioned that the children to be served were good kids in bad situations and were victims of abuse. Children served would be in age from 0-18 and would be very well supervised. He stated that they had never received any complaints from neighbors at any of their other facilities. Mrs. Abrant responded that other areas of the city are zoned more appropriately for such a facility and that she did not have a problem with the function of the facility. Tad Miller stated that legally the receiving home was considered a home for zoning purposes and that a residential setting was ideal for the children. Ted Simmons stated that he had no qualms about the home, but he was also concerned about maintaining a residential character in the area. He and others have worked to maintain covenants. John Angaiak stated that he signed the petition and said that this kind of facility should not be in a residential area. He stated that he was concerned for the children in the facility, but he was also concerned for the safety of the neighborhood children. He said if we allow this use, what is to prevent other uses from coming in? Ted Simmons spoke and said he was not against the facility, but he also thought that the facility would only add to the poor conditions of Ptarmigan Street. Tracy Silta spoke and said that when she bought her house, she was under the impression that the subdivision was residential and she would like it to remain that way. Duane Gross stated that he too bought in the neighborhood because it was zoned residential. Dean Isberg spoke and said that he signed the petition and said he was concerned about his children and asked if other locations had been considered for the receiving home? Why was this location selected? Tad Miller responded that the city had been searched for years for a site. He declared that the site was very well suited for their needs because it was near schools and stores. He went on to state that there had never been any complaints from neighbors regarding existing nonresidential uses such as the Bethel Group Home, AVCP Housing Office

and the Senior Center.

Chairman Guinn closed the public hearing. Ms. Hamilton asked Donna Abrant if she had asked each of the signatories of the petition if they were over the age of eighteen? Donna Abrant said she did not ask the signatories their age. Mr. Warner reiterated the lease approval that the City Council had passed. Mr. Warner stated the uses that are allowed outright in a residential area and those uses allowed as a conditional use. Mr. Warner noted that a receiving home is not specifically listed as a conditional use. Ms. Hamilton asked how nonresidential uses in the area were allowed, such as the ASHA office. Mr. Warner replied that the ASHA office and other uses were built prior to the zoning code. Mr. Bouillion stated that although the receiving home is not specifically listed as a conditional use, he thought it was similar enough to other mentioned uses to warrant inclusion. Some similar uses include a church, nursery, preschool or apartment building. John Angaiak spoke and said he thought there might be a better site near the Hospital.

motion

M/M Moody to approve the conditional use. Motion died for lack of a second. Chairman Guinn said he would welcome input for another motion. Mr. Adams asked if there was sufficient public notice for the City Council hearing and how many people turned out to speak at that meeting. Mr. Warner stated sufficient notice was provided and that approximately seven people that spoke, most of them for the facility. Tracy Silta asked why property owners were not notified by letter. Chairman Guinn stated that the property owners were not required to be noticed by letter. Mr. Bouillion stated that notice ran in the paper and was posted at three public locations for one month. M/M Hamilton to send the matter back to consideration before the City Council given the information uncovered and the negative reaction by the neighbors. Chairman Guinn stated that the Planning Commission must take action on the conditional use, although he would love to send it back to the City Council. Mr. Warner said that normally the conditional use would be approved before a lease agreement is negotiated. M/M by Moody,

2nd by Warner to approve the conditional use subject to the conditions that the home be connected to piped water and sewer, that the site have sufficient vehicular access off of Ptarmigan and that the children be inside by a reasonable hour to reduce the amount of noise generated. Mr. Warner said that his vote might not mean much, but that he would have to side with the concerns of the neighbors. Chairman Guinn stated that so often the process does not work, so in this time he would have to vote against the conditional use. Mr. Adams stated that because of the concerns, he would have to vote with the public. Chairman Guinn asked for a vote. Roll call vote. Motion failed, 1 for (Moody), 4 against (Adams, Warner, Guinn, Hamilton) the motion.

motion

M/M by Hamilton, 2nd by Warner to adjourn the regular meeting of the Planning Commission at 9:05 p.m. Voice vote. Motion carried unanimously.

PASSED AND APPROVED THIS _____ DAY OF _____, 1993

John Guinn, Chairman

ATTEST:

Tom Bouillion, Planning Manager



CITY OF BETHEL

P.O. Box 388 • Bethel, Alaska 99559
907-543-2087
FAX # 543-4171

PLANNING COMMISSION MEETING MINUTES

October 14, 1993

CALL TO ORDER

Acting Chairman Warner called the regular Planning Commission meeting of October 14, 1993 to order at 7:45 PM.

ROLL CALL

Present: Bill Adams, Louie Andrew, Joan Hamilton, Tom Warner.

Absent: John Guinn, Jake Metcalfe, Doug Moody.

Also

Present: Tom Bouillion; Planning, Gary Tolson.

APPROVAL/MINUTES

M/M by Hamilton, 2nd by Adams to approve the minutes of the September 9, 1993 regular Commission meeting. Voice vote. Motion carried unanimously.

APPROVAL/AGENDA

M/M by Andrew, 2nd by Hamilton to approve the agenda. Voice vote. Motion carried unanimously.

COMMUNICATIONS

Mr. Bouillion presented a memo from William Hunter asking the Commissioners if they supported the concept of having a children's receiving home in Bethel.

motion

M/M by Hamilton, 2nd by Adams that the Planning Commission supports the concept of the construction of a children's receiving home in an appropriately zoned area of the City of Bethel. Voice vote. Motion carried unanimously.

PLANNER'S REPORT

Mr. Bouillion referred the Commissioners to his written report which included a sample ordinance for removing junked cars, a report on the Alaska Transit Conference and different options for bringing transit to Bethel, an update on the Bethel Heights sewer and water project and an update on the Army

Corps of Engineers 5 year General Permit renewal.

PEOPLE TO BE HEARD There were no people to be heard.

OLD BUSINESS

Item A:

FINAL PLAT OF ANCSA 14(C) SURVEY, LAGOON PARCEL: SECTIONS 4 AND 5, TOWNSHIP 8N., RANGE 71 W., SEWARD MERIDIAN

Mr. Bouillion presented his report recommending approval of the final plat of 14(c) land conveyance from B.N.C. The conveyance is approximately 240 acres, with a total of approximately 320 acres having been conveyed to the City for the sewer lagoon at different times.

motion

M/M by Andrew, 2nd by Adams to approve the final plat of ANCSA 14(c) survey, lagoon parcel: sections 4 and 5, Township 8 N., Range 71 W., Seward Meridian. Voice vote. Motion carried unanimously.

Item B:

PRELIMINARY ABBREVIATED PLAT: LOT 11, BLOCK 5, USS 3230 B TOWNSITE-JIM TOMPKINS

Mr. Bouillion presented his report, which stated that public notice of the proposal had been posted and which recommended approval of the preliminary plat. Gary Tolson spoke as an interested neighbor located to the west of Mr. Tompkins' lot. He recommended that no more development take place along 5th Avenue until the road is improved and the drainage problem fixed.

motion

M/M Andrew, 2nd by Hamilton to approve the preliminary abbreviated plat lot 11, block 5, USS 3230 B Townsite on the condition that drainage and road access problems be addressed. Voice vote. Motion carried unanimously.

NEW BUSINESS

Item A:

VARIANCE: LOT 7, BLOCK 5, TURNKEY 3 SUBDIVISION, 215A PTARMIGAN STREET-Y.K.H.C.

Mr. Bouillion presented his report which recommended approval of the variance. Although variances are not normally desirable, in this case it serves several purposes such as moving a structure built over property lines, providing relief from the physical constraint of having a water and

sewer line bisect the lot and providing better spacing between structures.

motion

M/M by Hamilton, 2nd by Adams to approve the variance for the structure on lot 7, block 5, Turnkey 3 Subdivision . Voice vote. Motion carried unanimously.

Item B:

RESUBDIVISION: LOTS 21, 26, 27, 28, 29, 30, 31, 32 AND 33, BLOCK 1, MARTINA OSCAR SUBDIVISION, 814 PTARMIGAN STREET-ROBERT GRAHAM

Mr. Bouillion presented his report which explained that a resubdivision is simply combining several single lots into one large tract of land. In no way does approval of the resubdivision constitute approval of any development on the property. The report went on to recommend approval of the resubdivision.

motion

M/M by Andrew, 2nd by Hamilton to approve the resubdivision of lots 21, 26, 27, 28, 29, 30, 31, 32 and 33, block 1, Martina Oscar Subdivision, 814 Ptarmigan Street. Voice vote. Motion carried unanimously.

Item C:

VARIANCE: LOTS 21, 26, 27, 28, 29, 30, 31, 32 AND 33, BLOCK 1 MARTINA OSCAR SUBDIVISION, 814 PTARMIGAN STREET-ROBERT GRAHAM

Mr. Bouillion strongly recommended tabling the issue until the next Planning Commission meeting since the site plans that were promised by Mr. Graham never arrived. Tom Warner agreed that there were insufficient materials, including site plans and approval by the State Fire Marshall, for the Commission to decide on the issue at that time.

motion

M/M Andrew, 2nd by Hamilton to table the variance for lots 21, 26, 27, 28, 29, 30, 31, 32 and 33, block 1 Martina Oscar Subdivision, 814 Ptarmigan Street until the next regularly scheduled Planning Commission meeting. Voice vote. Motion carried unanimously.

motion

M/M Adams, 2nd by Hamilton to adjourn the regular meeting of the Planning Commission at 8:45 p.m. Voice vote. Motion carried unanimously.

PASSED AND APPROVED THIS _____ DAY OF _____, 1993

John Guinn, Chairman

ATTEST:

Tom Bouillion, Planning Manager



CITY OF BETHEL

P.O. Box 388 • Bethel, Alaska 99559

907-543-2087

FAX # 543-4171

PLANNING COMMISSION MEETING MINUTES

September 9, 1993

CALL TO ORDER

Chairman Guinn called the regular Planning Commission meeting of September 9, 1993 to order at 7:30 PM.

ROLL CALL

Present: Bill Adams, John Guinn, Joan Hamilton, Doug Moody, Tom Warner.

Absent: Louie Andrew, Jake Metcalfe

Also

Present: Tom Bouillion; Planning, Tad Miller; AVCP Receiving Home, Elaine Tompkins, Nellie Mc Elwee, Allan Wintersteen, Mildred Samuelson, Bob Graham, Bill Stokes; DEC, Donna Abrant, Don Shantz, Ted Simmons, Duane Gross, Tracy Silta, John Angaiak, Kathy Olson, Ann Willard, Dean Isberg and other residents of Ptarmigan Subdivision and ASHA Housing.

APPROVAL/MINUTES

M/M by Warner, 2nd by Adams to approve the minutes of the August 12, 1993 regular Commission meeting. Voice vote. Motion carried unanimously.

APPROVAL/AGENDA

M/M by Warner, 2nd by Hamilton to approve the agenda. Voice vote. Motion carried unanimously.

COMMUNICATIONS

No communications were presented.

PLANNER'S REPORT

Mr. Bouillion referred the Commissioners to his written report, which included investigation into the J.B. Crow land claim, progress on negotiations with Bethel Utilities Corporation in getting the waste heat line restored, investigation into past deals made regarding Lena Phillips subdivision and progress on bringing trees to

Bethel. Additionally, Mr. Bouillion asked the Commissioners if they had any knowledge as to the whereabouts of several hundred trees that were given to Bethel in 1991.

PEOPLE TO BE HEARD

Mr. Bouillion presented a request by Dan Wohl of Alaskan Consulting Surveyors for the Commission to the plat of the sewage lagoon so that it could be properly conveyed under the ANCSA 14 (c) 3 process. Mr. Guinn suggested there were notice requirements that needed to be satisfied and so the item should be postponed until the next meeting.

Mrs. Elaine Tompkins presented a proposal to subdivide a lot into two parcels. Mr. Warner suggested that under the process for a preliminary abbreviated plat, seven days notice needed to be provided and adjacent property owners notified by mail. Mrs. Tompkins was told to return to the next Commission meeting so that these requirements could be satisfied.

Mildred Samuelson spoke regarding a proposal to place fill dirt and a house on her property. Mr. Guinn suggested that the proposal could be taken care of under the site plan process and that she should speak to Mr. Bouillion during office hours.

Bill Stokes suggested to the Commissioners that the City use either a public nuisance or abandonment ordinance as a means to deal with junked cars that pose an environmental hazard. Mr. Guinn asked Mr. Bouillion to locate a possible site for a junk yard for these cars and to investigate the legality of the City removing junked cars from private property. Mr. Warner said he would bring up the issue at the next City Council meeting.

Bob Graham handed out a preliminary proposal for his development located on the north side of Ptarmigan Street prior to coming before the Planning Commission in October. Mr. Bouillion assured the Commissioners that Mr. Graham will be on the agenda for the October meeting and that all appropriate notice requirements will be satisfied.

OLD BUSINESS

Item A:

PRELIMINARY ABBREVIATED PLAT: LOT 13, H-MARKER LAKE SUBDIVISION-NELLIE MC ELWEE

Mrs. Mc Elwee presented an abbreviated plat that was continued from last meeting because the notice requirements had not been satisfied and the preliminary plat did not show public road access. Mr. Bouillion recommended approval of the preliminary plat. Mr. Warner pointed out that the revised abbreviated plat did still not have a fifty foot right-of-way as required in the subdivision ordinance.

motion

M/M by Warner, 2nd by Moody to approve the abbreviated preliminary plat on the condition that a fifty foot road easement be drawn on the plat to the point where it must physically be narrowed to thirty feet. Voice vote. Motion carried unanimously.

NEW BUSINESS

Item A:

**PRELIMINARY ABBREVIATED PLAT: TRACT D-5,
BLUEBERRY FIELDS SUBDIVISION-DON SHANTZ**

Don Shantz presented an abbreviated plat for preliminary approval by the Planning Commission. Mr. Bouillion recommended approval of the preliminary plat. Mr. Warner stated that he saw no problems with the plat related to minimum lot size, road access or public notice as required by the subdivision ordinance.

motion

M/M by Hamilton, 2nd by Warner to approve the abbreviated preliminary plat. Voice vote. Motion carried unanimously.

Item B:

**CONDITIONAL USE IN A RESIDENTIAL
NEIGHBORHOOD: CHILDREN'S RECEIVING HOME AT
226 PTARMIGAN STREET**

Mr. Bouillion recommended approval of the conditional use on the condition that the building be connected to the piped water and sewer system, that the site have sufficient vehicular access off of Ptarmigan Street and that the children of the facility be inside by a reasonable hour at night to reduce the amount of noise generated. Chairman Guinn opened the floor for public comment.

Donna Abrant spoke on behalf of the residents of Ptarmigan Subdivision and ASHA Housing and presented a petition which was signed by approximately 56 persons from the area which opposed the receiving home's proposed

location. She expressed a desire that the neighborhood should remain residential in character and that the receiving home was not in keeping with this character. Tad Miller of AVCP receiving home mentioned that the children to be served were good kids in bad situations and were victims of abuse. Children served would be in age from 0-18 and would be very well supervised. He stated that they had never received any complaints from neighbors at any of their other facilities. Mrs. Abrant responded that other areas of the city are zoned more appropriately for such a facility and that she did not have a problem with the function of the facility. Tad Miller stated that legally the receiving home was considered a home for zoning purposes and that a residential setting was ideal for the children. Ted Simmons stated that he had no qualms about the home, but he was also concerned about maintaining a residential character in the area. He and others have worked to maintain covenants. John Angaiak stated that he signed the petition and said that this kind of facility should not be in a residential area. He stated that he was concerned for the children in the facility, but he was also concerned for the safety of the neighborhood children. He said if we allow this use, what is to prevent other uses from coming in? Ted Simmons spoke and said he was not against the facility, but he also thought that the facility would only add to the poor conditions of Ptarmigan Street. Tracy Silta spoke and said that when she bought her house, she was under the impression that the subdivision was residential and she would like it to remain that way. Duane Gross stated that he too bought in the neighborhood because it was zoned residential. Dean Isberg spoke and said that he signed the petition and said he was concerned about his children and asked if other locations had been considered for the receiving home? Why was this location selected? Tad Miller responded that the city had been searched for years for a site. He declared that the site was very well suited for their needs because it was near schools and stores. He went on to state that there had never been any complaints from neighbors regarding existing nonresidential uses such as the Bethel Group Home, AVCP Housing Office

and the Senior Center.

Chairman Guinn closed the public hearing. Ms. Hamilton asked Donna Abrant if she had asked each of the signatories of the petition if they were over the age of eighteen? Donna Abrant said she did not ask the signatories their age. Mr. Warner reiterated the lease approval that the City Council had passed. Mr. Warner stated the uses that are allowed outright in a residential area and those uses allowed as a conditional use. Mr. Warner noted that a receiving home is not specifically listed as a conditional use. Ms. Hamilton asked how nonresidential uses in the area were allowed, such as the ASHA office. Mr. Warner replied that the ASHA office and other uses were built prior to the zoning code. Mr. Bouillion stated that although the receiving home is not specifically listed as a conditional use, he thought it was similar enough to other mentioned uses to warrant inclusion. Some similar uses include a church, nursery, preschool or apartment building. John Angaiak spoke and said he thought there might be a better site near the Hospital.

motion

M/M Moody to approve the conditional use. Motion died for lack of a second. Chairman Guinn said he would welcome input for another motion. Mr. Adams asked if there was sufficient public notice for the City Council hearing and how many people turned out to speak at that meeting. Mr. Warner stated sufficient notice was provided and that approximately seven people that spoke, most of them for the facility. Tracy Silta asked why property owners were not notified by letter. Chairman Guinn stated that the property owners were not required to be noticed by letter. Mr. Bouillion stated that notice ran in the paper and was posted at three public locations for one month. M/M Hamilton to send the matter back to consideration before the City Council given the information uncovered and the negative reaction by the neighbors. Chairman Guinn stated that the Planning Commission must take action on the conditional use, although he would love to send it back to the City Council. Mr. Warner said that normally the conditional use would be approved before a lease agreement is negotiated. M/M by Moody,

2nd by Warner to approve the conditional use subject to the conditions that the home be connected to piped water and sewer, that the site have sufficient vehicular access off of Ptarmigan and that the children be inside by a reasonable hour to reduce the amount of noise generated. Mr. Warner said that his vote might not mean much, but that he would have to side with the concerns of the neighbors. Chairman Guinn stated that so often the process does not work, so in this time he would have to vote against the conditional use. Mr. Adams stated that because of the concerns, he would have to vote with the public. Chairman Guinn asked for a vote. Roll call vote. Motion failed, 1 for (Moody), 4 against (Adams, Warner, Guinn, Hamilton) the motion.

motion

M/M by Hamilton, 2nd by Warner to adjourn the regular meeting of the Planning Commission at 9:05 p.m. Voice vote. Motion carried unanimously.

PASSED AND APPROVED THIS _____ DAY OF _____, 1993

John Guinn, Chairman

ATTEST:

Tom Bouillion, Planning Manager



CITY OF BETHEL

P.O. Box 388 • Bethel, Alaska 99559
907-543-2087
FAX # 543-4171

PLANNING COMMISSION MEETING MINUTES

November 22, 1993

CALL TO ORDER

Chairman Guinn called the rescheduled Planning Commission meeting of November 22, 1993 to order at 8 PM.

ROLL CALL

Present: John Guinn, Joan Hamilton, Jake Metcalfe, Doug Moody, Tom Warner

Absent: Louie Andrew, Bob Herron

Also

Present: Tom Bouillion; Planning, Bob Graham, Geoff Kennedy, Gale Power, Dave Trantham.

APPROVAL/MINUTES

M/M by Hamilton, 2nd by Warner to approve the minutes of the October 14, 1993 regular Commission meeting. Voice vote. Motion carried unanimously.

APPROVAL/AGENDA

M/M by Warner, 2nd by Hamilton to approve the agenda. Voice vote. Motion carried unanimously.

COMMUNICATIONS

No communications were presented.

PLANNER'S REPORT

Mr. Bouillion referred the Commissioners to his written report which included site identification for the proposed children's receiving home and obtaining of a surplus plat reader/printer from the State Recorder's Office. In addition, a meeting for December 2nd at 7 PM in the Log Cabin was scheduled to discuss options for the proposed Children's Receiving Home in Bethel.

PEOPLE TO BE HEARD

There were no people to be heard.

OLD BUSINESS

Item A:

VARIANCE: LOTS 21, 26, 27, 28, 29, 30, 31, 32 AND 33, BLOCK 1 MARTINA OSCAR SUBDIVISION, 814 PTARMIGAN STREET-ROBERT GRAHAM

Mr. Bouillion indicated that Mr. Graham had changed his development proposal from using existing ASHA houses to building entirely new units. Under this circumstance, no variance is required and the development can be entirely administered under the site plan process. A major planned development such as this is allowed outright in a general use zone and thus no action is required by the commission.

NEW BUSINESS

Item A:

**VARIANCE: LOT 11, BLOCK 1, TUNDRA RIDGE
SUBDIVISION, 9462 AYAGINAR DRIVE-GALE POWER**

Mr. Bouillion presented his report which asked a fundamental question of whether the development should be considered a single structure, which would be allowed outright, or should be considered two separate structures put together, which would require a variance. Mr. Guinn thought that the development would be considered a single structure, but would like to see conditions attached. Mr. Moody thought that given the definitions in the BMC, the development could be considered either way. He also felt the commission did not have enough teeth in attaching conditions. Mr. Warner was concerned with the safety and appearance of the ASHA houses.

motion

M/M by Warner, 2nd by Moody to consider the development a duplex on the condition that there is a two hour fire wall between the two units and that the electrical system be inspected by a certified electrician. Voice vote. Motion carried unanimously.

Item B:

**DISCUSSION OF OPTIONS FOR THE PROPOSED
CHILDREN'S RECEIVING HOME**

This item was canceled until after the December 2nd community meeting regarding the siting of the Children's Receiving Home.

motion

M/M Metcalfe, 2nd by Hamilton to adjourn the regular meeting of the Planning Commission at 9:20 PM. Voice vote. Motion carried unanimously.

PASSED AND APPROVED THIS _____ DAY OF _____, 1993

John Guinn, Chairman

ATTEST:

Tom Bouillion, Planning Manager